

HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16699 of 2006

Date : 18-9-2006

Between:

T.Manikyam Goud s/o.Rajaiah

..

Petitioner

And

The District Collector,
Ranga Reddy District, at Hyderabad
and others

..

Respondents

HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16699 of 2006

ORDER:

The Writ Petition is filed praying for a writ of mandamus declaring the action of the respondent authorities in not disqualifying the 6th respondent under Section 19(3) of the A.P.Panchayat Raj Act 1994, Act XIII of 1994, as arbitrary, illegal, contrary to the provisions of the A.P. Panchayat Raj Act, 1994, Act XIII of 1994, and amounts to abdication of duties on the part of the respondent authorities and consequently disqualify the 6th respondent from continuing as Sarpanch of Thallapalli Gram Panchayat, Shabad Mandal, Ranga Reddy District and to pass such other suitable orders.

It is stated that the petitioner already had filed Election O.P. Even otherwise, it is needless to say that

the petitioner is having remedy to invoke the jurisdiction of the appropriate Election Tribunal by filing Election O.P. or by invoking the provisions of A.P. Panchayat Raj Act, 1994 complaining the disqualification in question. Hence, viewed from any angle, the relief prayed for in the present Writ Petition cannot be granted since this would involve adjudication of certain factual controversies. In view of the same, liberty is given to the petitioner to further proceed with the Election Petition or to invoke the relevant provisions of A.P.Panchayat Raj Act 1994 complaining the disqualification as per the procedure specified under the provisions of the said Act.

The Writ Petition is accordingly disposed of. No costs.

Narayana

Justice P.S.

Date : 18-9-2006

AM